



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2009 REGULAR SESSION

HOUSE BILL NO. 150

TUESDAY, FEBRUARY 24, 2009

The following bill was reported to the Senate from the House and ordered to be printed.

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DATE March 20, 2009
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TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Allen

AN ACT relating to firefighters.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1 ➔ Section 1. KRS 95A.040 is amended to read as follows:

2 (1) The commission shall make full and complete studies, recommendations and
3 reports to the Governor, the Kentucky Community and Technical College System,
4 and the Legislature for the purpose of establishing:

5 (a) Minimum standards and education of fire protection personnel appointed to
6 positions in municipal fire departments, who are to be engaged in fire
7 protection to include fire suppression, fire prevention, arson investigation, and
8 other allied fields;

9 (b) Basic minimum courses of training for fire protection personnel;

10 (c) Procedure for the certification of fire protection personnel and the certification
11 of fire protection instructors; and

12 (d) Administrative regulations to require that each volunteer firefighter be able to
13 read, write and understand the English language, is a person of sobriety and
14 integrity, is and has been an orderly, law-abiding citizen, is a citizen of the
15 United States, a permanent resident of the United States, or otherwise lawfully
16 present in the United States, and has reached the age of eighteen (18).

17 (2) **(a) The commission shall establish by administrative regulation a candidate**
18 **physical agility test to be administered to all candidates for professional**
19 **firefighter positions. For the provisions of this section "professional**
20 **firefighter" shall include any paid firefighter who is a member of a:**

21 **1. Municipal fire department organized under KRS Chapter 95;**

22 **2. Fire protection district organized under KRS Chapter 75;**

23 **3. County fire department created pursuant to KRS Chapter 67;**

24 **4. Fire department under the jurisdiction of a consolidated local**
25 **government;**

1 5. Fire department under the jurisdiction of a charter county government;

2 6. Fire department under the jurisdiction of an urban county government;

3 7. Fire department under the jurisdiction of a unified local government;

4 and

5 8. Fire department created under the provisions of KRS Chapter 273.

6 (b) The candidate physical agility test shall establish uniform standards of the
7 physical abilities required for all firefighter candidates. The candidate
8 physical agility test shall be required for all firefighter candidates hired on
9 or after January 1, 2013.

10 (c) After the effective date of this Act the commission shall establish procedures
11 for individual firefighter candidates to voluntarily take the candidate
12 physical agility test. The commission shall also establish procedures for fire
13 departments listed under subsection (2)(a) of this section to voluntarily
14 require firefighter candidates hired by them to have successfully completed
15 the candidate physical agility test. The procedures in this subsection shall be
16 established by administrative regulation.

17 (d) The candidate physical agility test shall be designed to assess a candidate's
18 ability to handle the physical demands of fighting fires and shall include
19 exercises that simulate the most common tasks involved in fire suppression.
20 These exercises shall include but are not limited to: stair climb; hose drag;
21 equipment carry; ladder raise and extension; forcible entry; search; rescue;
22 ceiling breach, and pull.

23 (e) The commission may establish a fee to be charged to candidates
24 participating in the candidate physical agility test. The fee shall be no
25 greater than an amount specified by the commission to cover the costs of
26 implementing and administering the candidate physical agility test.

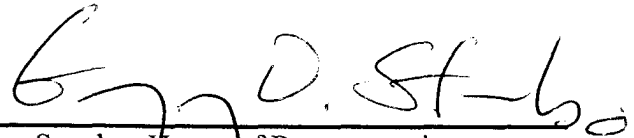
27 (f) The commission shall promulgate administrative regulations, pursuant to

the provisions of KRS Chapter 13A, to establish and implement the candidate physical agility test and to carry out any other responsibility assigned by this section. The administrative regulations shall be promulgated no later than October 1, 2009.

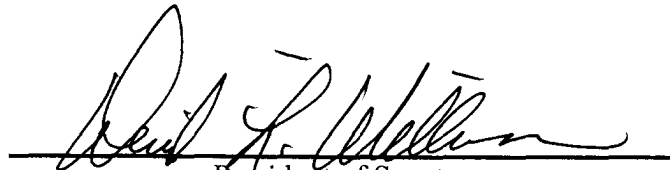
(3) The commission shall have the authority to:

- (a) Certify fire protection training and education programs as having attained the minimum required standards suggested by such commission;
- (b) Certify instructors as having qualified as fire protection instructors under such conditions as the commission may prescribe;
- (c) Direct research in the field of fire protection and accept gifts and grants for such purposes; and
- (d) Recommend curricula for advanced courses and seminars in fire science training in colleges and institutions of higher education.

~~(4)~~(3) The commission shall have authority to receive and, to the extent required by federal law, to disburse all grants and funds from the federal government for the purpose of fire protection personnel training and education. Except as otherwise provided by law, the commission shall administer all state programs and all state and federally funded grant programs related to fire protection personnel training and education.

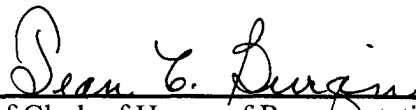


Speaker-House of Representatives



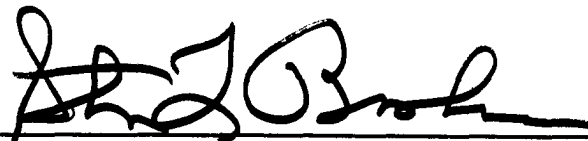
President of Senate

Attest:



Chief Clerk of House of Representatives

Approved



Governor

Date

3-20-09